

Green Facts

Certificates of Approval – Hauled Sewage Waste Management Systems

The Environmental Assessment and Approvals Branch (EAAB) of the Ministry of the Environment issues Certificates of Approval under the *Environmental Protection Act* (EPA) for waste management systems for domestic hauled sewage (septage). This fact sheet provides information about improvements that the ministry has made to streamline the approval process for owners of hauled sewage waste management systems (“sewage haulers”).

What requires approval?

Section 27 of the *Environmental Protection Act* requires that an approval must be obtained prior to using, operating, establishing, altering, enlarging or extending a waste management system or a waste disposal site for septage.

Operations or activities that require approval include, but are not limited to:

- opening or creating new spreading sites;
- processing septage;
- hauling or transporting septage.

No one can engage in these activities until the necessary Certificate of Approval (CofA) is obtained. The responsibility for obtaining approval for a waste disposal site or waste management system lies with the owner.

What changes have been made to streamline the approval process for sewage haulers?

Previously, certificate holders could only deposit waste at a sewage treatment plant, waste stabilization pond, hauled sewage site or other waste disposal site that was listed in their CofA.

Sewage haulers can now deposit hauled sewage at any site in Ontario that has been approved by the ministry to receive this type of waste (if the site is willing to accept the waste). New spreading sites still require approval from the ministry’s District Offices, but once approved these new sites do not have to be listed on the sewage hauler’s CofA.

The paperwork associated with getting new spreading sites has also been reduced by changing the “Schedule ‘C’ - Hauled Sewage Disposal Site Information” to be a stand alone document. A separate application form no longer has to be submitted along with Schedule ‘C’.

What changes have been made to provide more operational flexibility to sewage haulers?

The EAAB has concluded that in-transit storage, treatment and processing prior to final disposal are activities integral to the transportation of hauled sewage. Sewage haulers are now permitted to incorporate in-transit storage as part of their system CofA.

To expand the range of disposal options in the event of a ban on land spreading of untreated hauled sewage, sewage haulers are also allowed to undertake operations to dewater or stabilize hauled sewage, including lime stabilization, as part of their system CofA.

What is allowed as part of in-transit storage, and what is the process to include these in a waste management system certificate of approval?

In-transit storage means the temporary storage of hauled sewage during transportation, prior to final disposal at a sewage treatment plant, spreading field or other waste disposal site. This does not include storage of hauled sewage over longer time periods such as winter storage. In-transit storage must be located at the truck yard that is part of the waste management system, and must be for the exclusive use of trucks which form part of that system. No sewage hauler may deposit wastes at a storage facility that is not part of their waste management system.

Prefabricated tanks for in-transit storage must conform to requirements for a Class 5 Sewage System under the Ontario Building Code, or CAN/CSA B66-05. In-transit storage facilities built on site must be certified by a professional engineer. To ensure that the storage facility is used for in-transit storage only, it must be completely emptied every two weeks.

In order to incorporate in-transit storage into their waste management system CofA, sewage haulers must obtain approval from the EAAB. The terms and conditions of the certificate will require the owner to operate the storage facility in such a way as to prevent spills and adverse effects and to maintain records to demonstrate compliance with ministry requirements.

What is allowed as part of in-transit processing and treatment and what is the process to include these in a waste management system certificate of approval?

In-transit processing and treatment means processing of hauled sewage during transportation, prior to final disposal at a spreading field or other

waste disposal site. The ministry is currently working with the Ontario Ministry of Agriculture, Food and Rural Affairs to develop standards for the processing and treatment of hauled sewage. Once standards have been developed, in-transit processing and treatment will be incorporated into all new hauled sewage waste management system CofAs. Processing and treatment (such as aerobic or anaerobic digestion, dewatering and lime stabilization or other means of stabilization) will be allowed to take place within the approved waste management system.

After the standards have been announced, existing sewage haulers will have to obtain approval from the EAAB in order to incorporate in-transit processing and treatment in to their waste management system CofA. The terms and conditions of the certificate will require the owner to operate the storage facility in such a way as to prevent spills and adverse effects and to maintain records to demonstrate compliance with ministry requirements.

What other flexibility is allowed to owners of hauled sewage system?

Previously, hauled sewage transferred from a truck in one waste management system to a truck in another system required a separate waste disposal site CofA. These transfers occur for a number of reasons, including the breakdown of trucks. In order to provide greater flexibility to sewage haulers, the transfer of hauled sewage from one system to another is now allowed to occur as part of the waste management system CofA.

To ensure proper operation, spill prevention and record keeping, the transfer of hauled sewage from one waste management system to another must occur in accordance with terms and conditions on the CofA. Existing CofA holders will be required to obtain an amendment to their system CofA from the ministry to be allowed this flexibility.

What other changes have occurred to hauled sewage waste management system certificates of approval?

Conditions pertaining to the labelling of trucks, documentation, operating procedures and record

keeping have been changed to reflect the greater flexibility being allowed as part of the hauled sewage system CofA.

Pilot projects are also allowed to be undertaken as part of the waste management system CofA. More details on these changes can be obtained from the Ministry of the Environment at 1-800-461-6290 or from the Ontario Association of Sewage Industry Services (OASIS) at (705) 778-1265.

What are the Environmental Bill of Rights (EBR) and financial assurance requirements?

Currently, hauled sewage waste management systems are not prescribed instruments under EBR, and applications for spreading sites approved by the MOE's District Offices are not posted on the Registry. Therefore, new or amended hauled sewage waste management systems having in-transit storage, processing and system-to-system transfers integral to the transportation of hauled sewage, will not be posted on the EBR.

Financial assurance will be required for all in-transit storage facilities to ensure that, in the event of bankruptcy or insolvency, there are sufficient funds available to cover the cost of disposing all hauled sewage contained within the storage facilities. It is ministry policy to require financial assurance for all facilities holding waste.

Who is eligible to apply for the new terms and conditions on their certificates?

The new terms and conditions will be applied to new applicants and current CofA holders for hauled sewage waste management systems transporting domestic waste, including septage, originating from portable toilets, holding tanks, septic and aerobic systems, or vehicle sewage holding tanks.

Existing hauled sewage CofA holders can obtain the new terms and conditions by applying to the ministry to amend their existing CofA. The terms and conditions currently imposed on the certificate will remain in force until the ministry issues the amended CofA.

Are there additional permitting and regulatory requirements in addition to getting a CofA?

Yes. It is the responsibility of CofA holders to comply with all applicable legislation, regulations and by-laws. For example, many municipalities have specific zoning by-laws and building codes, and sewage haulers should ensure they comply with municipal requirements prior to installing and operating the facilities approved as part of their CofA.

Will waste management systems transporting wastes other than hauled sewage be allowed to have the same terms and conditions?

No. The terms and conditions developed to streamline the approvals process and provide operational flexibility apply to hauled sewage waste only. These changes have been made in consideration of the limited environmental impacts associated with these systems, ministry policy direction to ban land spreading of untreated septage, and concerns expressed by industry groups representing sewage haulers. These changes also reflect EAAB's ongoing efforts to modernize and streamline the approvals process.

The information contained in this document is of a general nature only and is not intended to constitute advice for any specific situation. Please note that the texts of many Ontario statutes and regulations are available on the Internet at www.e-laws.gov.on.ca.

For more information about Certificates of Approval or to obtain an application package, please contact:

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